

MARTINSBURG GAZETTE.

BY EDMUND P. HUNTER.

MARTINSBURG, (VA.) WEDNESDAY, SEPTEMBER 12, 1838.

VOLUME XXXIX, NO. 29.

Published every Wednesday morning at \$2.00 per annum payable in advance \$2.50 within the year, and \$3.00 at the end of the year.

DEFERRED ARTICLES.

From the National Gazette.
A BEAUTIFUL TRIBUTE.
The remains of the venerable CHARLES THOMSON, having been removed by his nephew, from a private burying ground in Lower Merion, where they have lain unhonored for fourteen years, to the beautiful Cemetery of Laurel Hill, a monument of granite was erected over them last week, a little below the highest summit of the grounds, and near a remarkable point of rock.

The monument will bear the following inscription:

This Monument
Covers the Remains of the
Honorable
CHARLES THOMSON,
The first and long
The Confidential Secretary of the
Continental Congress,
And the
Enlightened Benefactor of his Country
In its day of peril and need.
Born, November, 1729.
Died, August 16, 1824,
Full of honors, and of years.
AS A PATRIOT,
His memorial and just honors
Are inscribed on the pages
Of his Country's History.
AS A CHRISTIAN,
His piety was sincere and enduring,
His Biblical learning was profound,
As is shown by his translation of the Septuagint.

AS A MAN,
He was Honored, Loved and Wept.

Erected
To the Memory of an honored
Uncle and Benefactor,
By his Nephew,
John Thomson, of Delaware.
Hic jacet,
Homo Veritatis et Gratie.

The style of this monument will attract general admiration. It is in the form of Cleopatra's Needle, the shaft reduced from the original height of sixty-four feet to sixteen, or one-fourth; the whole height including the base is twenty-one feet, and the entire weight of stone about five tons.

Its size, material and severe simplicity, together with its rural situation on the banks of the Schuylkill, render it peculiarly suitable to commemorate such a character as that of Charles Thomson. He was active when the claims of his country demanded his attention, and retired to the shades of private life as soon as those duties were fulfilled. He differed somewhat from many of the politicians of a later era in being a man of deep and heartfelt religion and piety. His Bible was his book of books, and very many of his years were spent on his original translation of the New Testament; his version is held in high esteem by biblical scholars.

Identified as his name was with every principal event of the Revolution, it is a matter for public congratulation that his name and deeds are inscribed on a suitable tablet, and in a situation where it will be permanently conspicuous. Would that all great and good men of that day were similarly and suitably remembered.

TRIBUTE OF RESPECT.—The New York Correspondent of the National Intelligence, under date of the 26th of August, writes:—

On Thursday last, Daniel Webster, Mr. Saltonstall, Mayor of Salem, Rev. Henry Ware, Gov. Everett, Rev. Mr. Palfrey, Rev. Dr. Ware, Judge Mel- len, of Maine, Dr. Nichols, Judge Emery, of Maine, A. H. Everett, C. S. Davies, and others, now big boys, whose young ideas Dr. Benjamin Ab- bott, of Exeter Academy, taught to shoot, met in Exeter to pay their trib- utes of respect to their venerable in- structor. This is the first public dem- onstration of this kind we have had in this country. It will do a mountain of good. The school dinner in Boston was of this kind of tribute to education, but the Bostonians, this year, omitted this festival—in my opinion the great- est civic error that enlightened city ever committed.

THE FALKLAND ISLANDS.—The New London Gazette contains a copy of a letter addressed to the master of ship *General Williams*, of that place, by Capt. J. W. Scott, master of H. B. M. ketch *Sparrow*, and Governor of the Malvinas, stating that the British Government has taken possession of the whole of the Falkland Islands, and that all foreign vessels are prohibited fishing or sealing round or near them. The *General Williams* and her tender were warned to leave the coast as soon as possible, and informed that all for- eign vessels found at any of the ports of the island after the 1st of June, 1838, would be proceeded against as trespass- ers.

A NARROW ESCAPE.—The balloon in which Mr. Wise had ascended from Easton, Pennsylvania, last week, exploded when thirteen thousand feet in the air. In ten seconds after the explosion the gas had all escaped, and he was descending with a rapidity that caused the air, as he says, to whistle through the netting of the balloon like a northwester through the rigging of a ship. Fortunately for his neck, he had with him a parachute, which proved to be of great service to him, although he had formed a bad opinion of it, from the experiments he had tried by sending them down with small ani- mals in them. He drifted about three miles to the northward, and landed with but little injury.—*Nat. Whig.*

REMARKABLE CIRCUMSTANCE.—It is stated in the Charleston Courier, that in making arrangements for the re-building of a house in the burnt district of that city, which was destroyed by the great conflagration, the work- men discovered that the parcel of coal remaining in the cellar was on fire, and a piece of fat pine imbedded in the same was also in state of ignition, hav- ing without doubt been in that state since the morning of the 28th of April last, a period of three and a half months, being protected from the air by the rubbish which had fallen on it. The fact is vouched for by credible testimo- ny, and deserves therefore general at- tention.

WHOLESALE DRINK FOR WARMWEA- THER.—Take a two gallon stone jug and fill it with cold water. Put into this water a quart of oat meal, and shake it well. In half an hour it will furnish a pleasant, nutritious, and ex- cellent beverage. We know a man who cuts ordinarily one hundred tons of hay—this is the only drink in the field for himself and hands.—*N. E. Farmer.*

WISCONSIN AND IOWA.—The for- mer has thirteen counties, and a popu- lation of eighteen thousand and one hundred and forty-nine, and the latter six- teen counties, and a population of twen- ty-two thousand five hundred and fifty-eight.

The Court of Directors of our Lunatic Hospital were called on a few days ago to perform a most pleasing and af- fecting duty in the discharge of a pa- tient. A young married lady, beauti- ful and interesting, the only child of a wealthy and affectionate father, in whom were centered all the hopes and affections of his widowed mother, was brought recently to the Hospital a ra- ving maniac. We will not attempt to tell her story, or develop the causes of her fearful malady. It is enough to say, that he, on whom she had bestow- ed her heart's best affections, had pro- vided unworthy of her.

"In life, how weak, how helpless is a woman! Soon burnt, to happiness itself a snare, And often wounded, while she plucks the rose!"

We saw the afflicted father when he gave up his daughter to the guardian care of the Directors—crushed and bowed down to the earth, as if his last tie on life were broken. We saw him again a few days ago. But, oh, how changed!—His countenance was beam- ing with the most joyous animation. The fire of youth seemed to be re-kind- led in his veins. He had been sum- moned to receive his beloved child—who then sat before him "clothed, and in her right mind"—again to his arms!

An incident like this is a rich and re- freshing treat to the spirit of every one who has a share in the gloomy concerns of a Lunatic Hospital.—*Staun- ton Spectator.*

WHAT CONSTITUTES A VAGRANT?—The Knickerbocker relates a good an- ecdote of a well known vagabond, who was brought before a magistrate as a common vagrant.

Having suddenly harpooned a good idea, he pulled from a capacious pocket of his tattered coat a loaf of bread and a half of a dried codfish, and holding them up, with a triumphant look and gesture, to the magistrate, "You don't catch him that way! I'm no vagrant. An't he wise when he's o' support, I should like to know."

THE WEATHER.—The Librarian of the Charleston, S. C. Library, has ex- amined data in that institution by which he has satisfactorily ascertained that the present summer has been the hottest we have had since 1738, a peri- od of 100 years!

Anthony Poucher, Postmaster in Washington County, Mich., has been arrested for having been engaged with and harboring a gang of horse thieves and counterfeiters. He offered leg bail, which being refused, he was com- mitted for safe keeping.

POLITICAL.

"INSTRUCTIONS."

The Hon. Hugh S. Legare, of South Carolina, addressed a letter to Gov. Butler, of that State, on the 26th of June last, containing his reasons for voting against the Sub-Treasury Bill on the occasion of its defeat in the House of Representatives. In that letter he sets forth his views upon the doctrine of "instructions," in a most forcible and lucid manner. We ex- tract that portion of the letter which contains those views.

The House has just refused, by an almost unanimous vote, to reconsider its decision upon the Sub-Treasury bill, as reported by the Committee of Ways and Means. That decision, you will have heard, was unexpectedly made yesterday afternoon; the Committee of the Whole having struck out the en- acting clause, and made a report accord- ingly, and the House ordered the Previous Question, so suddenly, that many who were desirous of expressing their sentiments on the great question, were deprived of an opportunity of doing so in debate. I was one of them. Situated as I was in consequence of the repeated declarations of the Legisla- ture, it was my own opinion, as well as that of all my friends here, that a man- ifest propriety, if nothing more, re- quired that I should assign the reasons which determined me to disregard those declarations. Not that I would be un- derstood as admitting, under any cir- cumstances, the right of that body to instruct to any binding effect, the Rep- resentatives of the people in another sphere. I certainly do no such thing. My views on that subject, generally, were expressed very distinctly in the Southern Review, in a paper upon Hall's Travels in America, (1829.) I have seen no reason to change them; quite the contrary. I am sure they met with the hearty concurrence of the great majority of the people of South Carolina at that time, and I am yet to learn that any revolution in public opinion has taken place since. It would in my judgement, be a deplorable falling off if it were so. When I came here in September, I found that the moral influence arising from our supposed independence in this particu- lar, was almost the only power left us; but it was a power, and a very pre- cious one. It would infinitely perish under the slavish doctrine by which it is attempted "to cow our free spirits," and to turn the members of these high deliberative bodies, into mere tools of popular leaders out of doors. The idea is incompatible with our dignity as men and as Carolinians—it is at war with the great first principle of the moral order of the universe—responsi- bility—which it would utterly destroy in our Government, in the constituent as well as in the Representative. It is neither more nor less than to claim as a right of every elective body, that odious privilege of the peerage of England, the absurdity of which has lately attracted so much attention—the vote by proxy—the privilege of partici- pating in a decision without hearing the argument. Suppose all argument cut off, as it might as well be under such a system, by the Previous Question, and every Representative voting perpetually under instructions, and you have the ideal perfection of a delibera- tive assembly constructed according to these notions, a body which it would be flattery to call a Rump Parliament, or to compare with the Senate of Tibe- rius and Caligula.

Considered as a principle of regular government, the doctrine of which I am speaking will not bear a moment's examination. The right to give a bind- ing instruction, implies the right to disavow any act done in violation of it, and to revoke immediately the pow- ers of the agents disobeying it. But nobody, so far as I am yet informed, is so extravagant as to pretend that any such right exists under our Govern- ment. The Senator or Representative, who acts upon his own convictions, and not those of his constituents, forfeits none of his authority, is not a jot the less a law-giver, binding the whole country by his acts, to the utmost ex- tent of the jurisdiction of the Govern- ment. It is a wild conceit to imagine, as I have seen it asserted somewhere, that the State Legislature has a right to control the conduct, though it has nothing to do with the consciences of its Representatives here. This is a di- vorce in the true spirit of the other, which it is intended to advance, but which more inconsistent with all ideas of good government and social order. It would be nothing short of a funda- mental revolution in our institutions. It would be making us a mere league of foreign nations, and turning this Congress of law-givers into a Congress

of ambassadors. In short, no doctrine (supposing it abused, as it will always be) is more utterly licentious and sub- versive in all its bearings and tenden- cies—and what may not at first strike you there never was one, at the same time, better calculated in the long run, to lay the power of this body, the Le- gislature of the country, and all the precious principles of our Government of laws, at the foot of the Executive and a disciplined corps of managers under its influence. I shall not stop to develop this important branch of the subject, on which I have had occa- sion to meditate much; but I give it to you as my deliberate conviction, that the constitution is subverted; that the external influences so constantly brought to bear upon it, the federal Legislature is shorn of almost all dig- nity and authority; that the freedom of thought and action essential to the very idea of a Representative Assem- bly, charged with the conduct of a lim- ited government, is assailed on all sides, and has been seriously impaired; and that our republic is beginning to take the shape of an elective monarchy, tempered in some degree by two Houses of Parliament, whose occasional opposition to the will of the Executive is treated as revolt against the people, in the person of their only true Rep- resentative. I do not speak of this or that Administration; of what the actual President is doing, or what the late President has done. I speak of a system becoming more and more estab- lished every day; and of what all fu- ture Presidents will do as a matter of course, because systems are too strong for men and override the best inten- tions. I speak of what is the inevita- ble consequence of the "discipline of party," as it is so expressly called here, by which all freedom of private judgement is sacrificed to the fragmen- tary will of the majority, and public opi- nion is shaped, with a view to future elections, by a few leaders dictating, no one knows how, to multitudes of dissenting, dissatisfied, and yet com- plying followers—the whole body do- ing what almost every member of it disapproves. This is the mystery of great masses, the *arcana imperii*, of a vast body politic, which every day of our future experience will tend more and more to reveal, if things go on as they now do.

I do not, of course, mean to deny, that the opinions of his constituents are entitled to great weight with the Rep- resentative. Unquestionably they are and where they differ from his they ought "to give him pause," and awa- ken in him a deep sense of the respon- sibility he incurs in declining to com- ply with them. I will even concede, that in cases of much doubt and diffi- culty, it is a safe course to conform to them, and that there are some ques- tions, of very rare occurrence and very peculiar character, where it would do more harm than good to resist them. But the truth is, there is not the least reason for apprehending that they will not generally have their full effect. On the contrary, the danger is all the other way. It is, unfortunately, but too rare a thing every where, to see a public man resist the passion or prej- udice of the day, at the risk of his own popularity and success, though he be sure it will pass away with the day. Even if ambition did not tempt, or ba- ser motives dispose him to yield, that which has been well described as "the great master vice of men of business, a degenerate and inglorious sloth," mere indolence, the dread of strife and cen- sure, would be enough to make the duty of resistance an irksome and even an odious one. With such a pretext to cover "the cowardice of doing wrong," the people have nothing to dread from the frowardness or indeci- sion of their Representatives. Their will, their humors, however petulant and capricious, will be crossed by very few; they will always have courtiers enough to persuade them they can do no wrong, for power never wants them, and of all sovereigns the "people- king" is surrounded with the most dan- gerous, because the best disguised par- asites and sycophants. But the true friend, the faithful counsellor, the ser- vant who will dare to disobey commands which his master will soon repent of having given, the Representative who will not sacrifice the deliberate sense of his constituents, expressed, in the exercise of a high and calm reason, in the laws and constitution, to the false im- pression or fleeting excitement of an hour, the statesman who looks to future consequences, and prefers to a transient, partial, or imaginary advantage, the real and permanent good of the country, such men will retire in despair from the public service, and cease to exercise any influence over public opinion. The standard of political morality will soon be degraded to the level of the lowest bidder in the market; every thing like fixed principle and rigid republican

virtue will go out of fashion; no one will have an opinion to express until he asks what is that of his official fleg- man; and to talk of a limited constitu- tion and a government of laws, amidst such universal subservency, and studi- ed self-delusion will be the bitterest of all irony.

A moment's reflection on a govern- ment so curiously formed as ours will show what havoc the doctrine in ques- tion, reduced fully to practice, will make in its spirit and operation. Why is it so difficult, nay, next to impossible to change the constitution? Why are there two Houses of Congress instead of one? Why is the term of the Senate no less than six years? Why are the members of the other branch of the Legislature elected but for two? Why has the President a veto to prevent, and the judges jurisdiction to set aside, acts of Congress? What is a Constitution but a denial to the Government, and consequently (to all practical purposes) for the time being, to the People them- selves, of some of the most important attributes of sovereignty? What is the end and meaning of all this array of checks and restraints upon the ac- tion of society, in its whole organiza- tion, but to control the passions of man- kind; to give them a *locus penitentiae*; to interpose a time for calm reflection; to secure to reason its legitimate influ- ence over human affairs; and, lastly, to substitute a deliberate and enlighten- ed and well ascertained public opinion, matured by a comprehensive survey of its subjects, fairly gathered from a general discussion of them in all their aspects, with a full knowledge of the state of facts, and a free interchange of sentiments, for notions rashly taken up, and the ebullitions of momentary ex- citement; for the blindness of local prejudice; above all, for doctrines build- ing put forth by a few presuming men, as the settled conviction of the majority, before the attention of the people has been so much as called, with any seri- ousness, to the points involved in them? This last consideration is one of im- mense importance. The world has been governed by constructive, not real majorities. The great mass of man- kind have done nothing but sanction, by a tacit acquiescence, what has been done by a few bold and active spirits without consulting their opinions. The Jacobins who ruled France so despoti- cally were always in a miserable mi- nority. Even in the Convention, as the 9th Thermidor revealed, they might at any time have been put down, had the majority understood each other, or had there been any means of ascertain- ing the real state of public opinion in France, sickened, as she was, at the atrocities under which she was bleeding without hope. But there was no con- cert among the People or their Rep- resentatives, and a single despotic assem- bly, swayed by a handful of daring con- spirators against the laws, and armed with the most terrible powers, ex- ecutive as well as legislative, to be ex- ercised under every gust of passion and every wild delusion, as it rose, illus- trates by contrast, the wisdom of a government like ours, wherein every- thing has been so studiously contrived to control sudden impulse, and to com- pel to serious and conscientious reflection. It is this humility, so philosophi- cal, so Christian, so full of true wisdom and of the virtue which prays, as it is taught to do, that it may not be led in- to temptation—it is this sublime self- denial of our people, deliberately limit- ing their own omnipotence lest they should be betrayed by it into doing wrong—that gives to our democratic institutions their only chance of succeeding better than that form of government has hith- erto done. Demagogues, indeed, hold a different language, as they are inter- ested in doing; they treat all re- straints whatever upon the will of the majority as a violation of its inaliena- ble rights. They preach the infallibil- ity, the absolute infallibility of "the People," every individual of whom knows, by the daily experience of his own errors and blindness, that the dog- ma is a blasphemous falsehood. They live by the very passions which it is the great object of the Constitution to restrain—by the delusions which the "law's delay" would infallibly dissi- pate. What wonder that they should find these self imposed restraints of a wise and moral People an inconvenient abridgment of their sovereignty, and that, like all true courtiers, they should go for divine right and a dispensing power? The Jacobins of royalty, just as an atheist of Rousseau, have been a bigot in the time of the League.

What I have hitherto said scarcely applies to my own case, because no- body, so far as I have heard, ever pre- tended that the Legislatures of the States have any right to interpose be- tween a Representative and his immedi- ate constituents. But I am not willing

to avail myself of that advantage. I desire, in this particular, to make com- mon cause with my friend and colleague in the Senate, (Mr. Preston,) to whom, of course, this general declaration of opinion must be taken to be particu- larly addressed. As one of his con- stituents, I approve of what he has done and though unauthorized, I speak for him, as well as for myself in what I say. We do not, by any means, agree in all our views of public affairs; at least, so far as we have compared our opinions, (which we have never formally done, however,) there is dif- ference enough between them. Their coincidence on this subject was purely accidental. We came together from different points of the compass, as you know; but whatever may be his course in other respects, (and it will, I have no doubt, be always an honorable and an elevated one,) in this particular, at least, I most heartily concur with him. But even if I did not, I would exhort him to a firm and erect demeanor under present circumstances. He is for the time being the personification of a great principle, and it gives him, in my eyes, a peculiar sanctity and privileged position. I trust in God there will be no wavering, no hesitation, no droop- ing or despondency in him, and that he will act well the important part which Providence has assigned him. It is honor enough to satisfy the most aspir- ing ambition to be identified with such a cause, and to know that one cannot fall a victim to proscription without a double sacrifice.

For myself, I feel deeply persuaded that, in taking the course which seemed to me the best on this subject, I was maintaining the Constitution of our fathers in its original purity and perfec- tion. I am just as sure that I am main- taining the traditional opinions and be- reditary honor of South Carolina. The most that we have ever done there, in the way of "instruction" has been to declare our wishes and opinions, in order to give them all the weight which they could derive from such an authen- tic and authoritative expression of them. In a government, founded more than any other, on mere opinion, these declarations, seasonably made, were calculated to do some good, and they could (unless by too frequent repetition,) do no possible harm. I remember distinctly that this was the ground I took on such occasions whilst I was a member of the Legislature; but no one so far as I knew, in South Carolina, ever professed the doctrine established, it should seem in Virginia, of the obligatory effect of such things on the conscience or the conduct (since they must be separated) of the mem- bers of the Senate. We left them to judge for themselves, and to act accord- ing to their judgments; the same prin- ciples were considered as applying to all representative bodies. In the course of my long connexion with the city of Charleston in the Legislature of the State, I found the service of my consti- tuents, as I have always avowed, the most perfect freedom. If they now wish me to be a mere instrument of o- thers, without dignity, without intelli- gence, without a conscience, without moral responsibility, I am very much mistaken in their character; and if they expect to find me so, they must certainly misunderstand mine. But I have no reason whatever to think so. I know their enlightened views, their liberal spirit, their elevated and gener- ous way of thinking on such subjects; and I never shall be brought by any- thing, short of actual experience, to be- lieve that a conscientious discharge of my duty, according to the best lights of my understanding, on such a subject as the Sub-Treasury Bill, is to forfeit me that confidence and regard which I prize so highly.

From the Farmer and Gardener. CULTURE OF WHEAT.

As the period has now arrived when the farmer should be directing his at- tention towards the preparation of his ground for his crop of fall wheat, and as this grain is one of the great staples of our country, we have thought it might be serviceable to lay down some general rules for its culture, and to make such suggestions as might ap- pear to be called for by the occa- sion.

SOIL AND PROPER MANURES.

The soil best adapted to the growth of wheat has been proved by experi- ence to be clays, (the red the best,) or loam mixed with clay; good wheat, however, may be grown on sandy land aided by a ley of clover turned under. But whether the soil be either the one or the other, it is absolutely necessary that a portion of time, in some of its forms, be present in the earth to ensure a good crop; so essential is this mine- ral, and so powerful its effects, that from two to three per cent. has been found sufficient. When we say that lime is absolutely necessary, we do not